



THE SOCIALIST REPUBLIC OF VIETNAM  
MINISTRY OF TRANSPORT  
VIETNAM EXPRESSWAY CORPORATION (VEC)  
SOUTHERN EXPRESSWAY PROJECT MANAGEMENT UNIT (SEPMU)

**HCMC  
LONG THANH  
DAU GIAY  
EXPRESSWAY**

**Ho Chi Minh City - Long Thanh - Dau Giay  
Expressway Technical Assistance Project  
Loan 2374-VIE**

# **Updated Resettlement Plan**

## **District 9, Hochiminh City**

(Stage 3)

**September 2010**

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## EXECUTIVE SUMMARY

Background. A Resettlement Plan was agreed by both the Government of Viet Nam (GOV) and Asian Development Bank in May 2008. It is based on preliminary design and initial census and inventory of losses. Following detailed design, the Resettlement Plan is updated and submitted to ADB for review and concurrence.

### Location, lengths and project corridors

District	Ward/Commune	Section	Length
<b>Ho Chi Minh City</b>			
District 9	Phu Huu	Km04+000 – Km07+000	3.0
District 9	Long Truong	Km07+000 – Km10+000	3.0
District 9	Truong Thanh	Km10+000 - Km10+375	0.375
District 9	Long Phuoc	Km10+375 – Km12+568	2.193
<b>Sub-Total</b>			<b>8.568</b>
<b>Dong Nai Province</b>			
Long Thanh	Tam An, An Phuoc, Long Thanh Town, Long An, Binh Son, Binh An	Km12+568 – Km18+500 Km 21+400- Km 37+255	21.787
Nhon Trach	Phuoc Thien	Km18+500 – Km21+400	3.1
Cam My	Song Nhan, Xuan Que	Km37+255 – Km49+300	12.045
Thong Nhat	Lo 25, Xuan Thanh	Km49+300 – Km54+982	5.682
<b>Sub-Total</b>			<b>42.614</b>
<b>Total Length</b>			<b>50.982</b>

**Legal and Policy Framework.** The legal and policy framework for compensation, resettlement and rehabilitation under the Project is defined by the relevant laws and regulations of the Government of Viet Nam and the ADB policies. Objectives of the project's policy are to avoid or minimize the unavoidable impacts raised by project's implementation.

**Scope of Land Acquisition and Resettlement Impacts:** Total area of affected land in district 9 is estimated to be 391,450 m<sup>2</sup> consisting of private land, public land and non-used land. A total of 234 households were identified based on census and detailed measurement surveys. Of these affected households, 27 households will be losing more than 10% of their productive land or assets.

**Submission of Updated RP in Stages.** The Updated RP for District 9, HCMC will be submitted to ADB for review and approval in **three stages**.

- **The First Stage** of Updated RP covers 165 households + 1 organization. Compensation budget of the first stage is calculated to compensate for affected land and non-land assets including cash allowance for timely moving for the 13 affected households. The Updated RP (Stage 1) was reviewed and concurred by ADB in July 2009.
- **The Second Stage** of Updated RP covers the (i) remaining 48 households which includes compensation payment for land and non-land assets including allowances; (ii) cash allowances for timely moving (bonuses) for the 110 affected households in the first stage (note that 13 households already received bonus allowance in the First Stage Updated RP; and (iii) compensation and support for affected electricity networks.
- **The Third (last) stage:** The URP will update: (i) compensation and allowances for 21 AHs in Phu Huu, Long Truong and Long Phuoc for Stage 3, (ii) Supplemental compensation for 12 HHs covered in URP Stage 1 (9 HHs to be paid for supplementary payment for land + 2 HHs for payment for graves only+ 1 HH for payment for crops and trees only); and (iii) This report also covers supplemental allowances and bonuses to 25 households in stage 1.

Total land affected reflected in the Third Stage of Updated RP is 25,291m<sup>2</sup>. Of the 21 households, there is no house affected, but some secondary structures only.

**Ethnicity, Vulnerabilities and Gender Issues.** No ethnic minority household was found in the affected areas of District 9, Hochiminh City. As indicated in First Stage Updated RP, there are a total of 16 vulnerable households in the entire Section of District 9 road that requires special assistance. Gender strategy is included in the RP, i.e., active participation of women from consultation to monitoring, representation of women in compensation committees, capacity-building targeting women and ethnic minorities.

**Income Restoration Program:** Vulnerable and severely affected households will be entitled to participate in the income restoration program which is now currently being developed by SEPMU with the assistance of livelihood specialists from the TA Loan consultants. A separate report on the income restoration program for District 9 was submitted to ADB for review and concurrence in March 2010.

**Relocation of housing and resettlement.** Of the 21 households affected under Stage 3, there is no household whose main house affected.

**Implementation Arrangements.** SEPMU, together with the resettlement consultants from the TA Loan, are working closely with the Peoples' Committee and District Compensation Committee. The resettlement consultants are supported by two national livelihood specialists and they are proposed to work full time until June 2010. The Loan Supervision Consultants will be mobilized in July 2010. The TA Loan Consultants and Loan Supervision Consultants will have at least one month overlap to properly hand-over remaining resettlement activities.

**Implementation Schedule.** Disbursement of payment and allowances to APs will commence as soon as this Updated RP is concurred by ADB.

ACTIVITIES	SCHEDULE
RP UPDATING (FOLLOWING DETAILED DESIGN)	AUGUST 2008 – JUNE 2010
SUBMISSION OF UPDATED RP (STAGE 1)	JUNE 2009
REVIEW AND APPROVAL OF UPDATED RP (STAGE 1)	JUNE 2009
IMPLEMENTATION OF UPDATED RP (STAGE 1)	JULY 2009 – OCTOBER 2009
SUBMISSION AND APPROVAL OF UPDATED RP (STAGE 2)	MARCH 2010
IMPLEMENTATION OF UPDATED RP (STAGE 2)	MARCH –JUNE 2010
SUBMISSION AND APPROVAL OF UPDATED RP (STAGE 3)	JUNE-JULY 2010
IMPLEMENTATION OF UPDATED RP (STAGE 3)	JULY – OCT 2010
MONITORING (INTERNAL AND EXTERNAL)	OCTOBER 2008 – AUGUST 2010
START OF CIVIL WORKS	OCTOBER 2009

**RP Budget:** Total RP budget for the Updated RP (Stage 3) is **26,377,312,200 VND**.

**Monitoring:** SEPMU will submit quarterly progress reports to ADB. An external monitor has been engaged and quarterly monitoring reports have been submitted to SEPMU and ADB. All monitoring reports will be uploaded on the ADB website.

## I. INTRODUCTION

1. **Submission of Second Stage Updated RP.** This Updated Resettlement Plan (URP) covers District 9, Ho Chi Minh City (Km 4+000 – KM12+568) and the Operation center. A total of 234 affected households were identified based on census and detailed measurement surveys and data provided by the concerned wards and districts recently.

2. The Updated RPs for District 9, HCMC are divided into three stages. It should be noted that **no household will be required to relocate or clear their land until full payment, i.e., including allowances are provided to the affected households.**

- a) **First Stage:** Updated RP covers 165 households + 1 organization. Compensation payment will only cover payment for land and non-land assets including cash allowance for timely moving (bonus) for 13 households). The First Stage URP was concurred by ADB in July 2009
- b) **Second Stage:** Updated RP to cover the (i) remaining 48 households which will cover compensation payment for land and non-land assets including allowances and (ii) allowances and bonuses for affected households in the first stage and (iii) Compensation for electricity network.
- c) **For the last stage URP:** (i) compensation and allowances for 21 AHs in Phu Huu, Long Truong and Long Phuoc for Stage 3, (ii) Supplemental compensation for 12 HHs covered in URP Stage 1 (9 HHs to be paid for supplementary payment for land + 2 HHs for payment for graves only+ 1 HH for payment for crops and trees only); and (iii) This report also covers supplemental allowances and bonuses to 25 households in stage 1.

**Table 1. Affected Households covered in different Stages of URPs in District 9**

	Stage 1 URP No. of HHs	Stage 2 URP No. of HHs	Stage 3 URP No. of HHs	Total No. of HHs
Phu Huu	72	25	6	103
Long Truong	38	14	11	63
Truong Thanh	2	2	0	4
Long Phuoc	53	7	4	64
Total	165	48	21	234
Organization	1	1 (electricity)	0	2
Total No. of APs	166	49	21	236

3. **Poor and vulnerable households.** There are a total of 16<sup>1</sup> households in the entire section of District 9 that require special assistance. These households will receive allowances which will be reflected in the last Stage URP. In addition, these households will be entitled to participate in the income restoration program which is developed by SEPMU with the assistance of livelihood specialists from the TA Loan consultants. A separate report on the income restoration program was submitted to ADB for review and concurrence in March 2010.

4. This Updated RP should be read in conjunction with the agreed Resettlement Plan (May 2008 and Updated RP Second Stage (March 2010).

## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

5. **Cut-off Date of Eligibility.** The Project's cut-off date is 2 January 2008 following the official announcement of the concerned Provincial and City Peoples' Committees in HCMC and Dong Nai Province. Detailed measurement survey was carried out from December 2008 to February 2009 based on final detailed design. The total corridor for District 9, HCMC is 40.5 meters.

6. **Total Number of Households.** There are 21 households affected in District 9 of Ho Chi Minh City in stage 3. Meanwhile, there is no house affected, but some secondary structures only.

7. **Total Affected Land Area.** Total area of affected land in district 9 is estimated to be 391,450 m<sup>2</sup> consisting of private land, public land and non-used land. According to estimation of DCC updated in the end of December, 2009, total area of private land is 371,509.6 m<sup>2</sup>. Percentage of affected land type in the third stage is in following table:

**Table 2. Land of HHs affected by the project in the third stage (in m<sup>2</sup>)**

	Land	Annual crop land	Perennial tree land	Total
1	Phu Huu	9,900	3,808	13,708
2	Truong Thanh	0	0	0
3	Long Truong	6,281	2,097	8,378
4	Long Phuoc	3,123	82	3,205
	Total	19,304	5,987	25,291
	Percentage	76.33%	23.67%	100.00%

8. **Summary of Impacts.**

**Table 3** shows the breakdown of the affected non-land assets.

<sup>1</sup> No new vulnerable HHs was found in URP Stage 3

**Table 3. Summary of Impacts**

	Items	Unit	Quantity
<b>Total Number of Affected Households</b>			
1	Totally affected houses	no.	0
2	Partly affected houses	no.	0
<b>Main structures (Houses)</b>			
1	Grade 1 (Villa)	m <sup>2</sup>	0
2	Grade 2 (Concrete floor, high quality of materials)	m <sup>2</sup>	0
3	Grade 3 ( Concrete floor, average quality of materials)	m <sup>2</sup>	0
4	Grade 4 (brick wall, wooden frame with titled roof)	m <sup>2</sup>	0
5	Grade 5 ( wooden frame, wall with palm roof)	m <sup>2</sup>	36.17
6	Total	m <sup>2</sup>	
<b>Secondary structures</b>			
1	Solid tomb	no.	3
2	Brick wall	m2	43
3	Iron fence	m2	117
4	Cement Yard		41
5	Concrete Yard	m <sup>2</sup>	27
<b>Annual Crops, Trees, Aquaculture crops</b>			
1	Annona reticulata	tree	12
2	Coconut	tree	25
3	Ochna	tree	137
4	custard-apple	tree	1
5	Jack-fruit	tree	1
6	Lemon grass	m2	40
7	Lotus	m2	7810.8
8	Wild tree	tree	2
9	Cajuput	tree	38
10	Mango	tree	754
11	Nipa palm	m2	162
12	Tropical almond	tree	1
13	Singapore Cherry	tree	4
14	Some kinds of Fish	kg	394

### III. PROJECT ENTITLEMENTS

9. **Payment for Land and Non-Land Assets.** For this updated RP, project entitlements will cover the payments of compensation for land and non-land assets and other allowances such as materials transport, timely moving allowance and living stabilization allowances and occupational changing allowances etc.,.

10. Entitlements on land and non-land assets fully follow the approved RP<sup>2</sup>. The following decisions issued by PC of HCMC are:

- Decision No. 17/2008/QĐ-UBND dated 14 March 2008 regarding “Regulations on compensation, supports and resettlement for land acquired by the government in HCMC”;
- Document No. 950/UBND-ĐTMT to accept the ADB’s involuntary resettlement policies applying for the HLD Expressway construction project in district 9.

**Table 4. Project Entitlements for Land and Non-Land Assets for Stage 3 Households**

Impacts	Eligible HHs	Project Entitlements
Impacts on Agricultural intermixed with Residential Land	21 HHs	<ul style="list-style-type: none"> <li>• Cash compensation at current market value.</li> <li>• Households will be free from paying transaction costs such as administrative charges, taxes and registration and titling costs).</li> </ul>
Secondary Structures	6 HHs with secondary structures	<ul style="list-style-type: none"> <li>• Cash compensation at replacement cost (100% value- no deduction for depreciation or salvageable materials);</li> </ul>
Crops and Trees	21 HHs	<ul style="list-style-type: none"> <li>• Cash compensation for crops or tree at replacement cost; For perennial trees, cash compensation at replacement cost equivalent to current market value given the type, age and productive value (future production) at the time of compensation.</li> <li>• Cash compensation for pre-harvesting aquaculture products at replacement cost but not for harvestable products at the time of compensation.</li> </ul>
Graves	1 HH	<ul style="list-style-type: none"> <li>• APs are entitled to cash compensation for all costs of excavation, relocation, reburial and other related costs.</li> <li>• Graves to be exhumed and relocated in a culturally sensitive way.</li> </ul>
Life stabilization allowance	2 HHs	<ul style="list-style-type: none"> <li>• For all persons in the HH: 1 million VND per person and</li> <li>• Entitled to take part in the Income Restoration Program</li> </ul>
Timely moving Bonus allowance	21 HHs	<ul style="list-style-type: none"> <li>• 2.5 million VND per household, which HH handover their land to the project as scheduled time.</li> </ul>

<sup>2</sup> In accordance with Decree 69/2009/NĐ-CP, Hochiminh City PC issued Decision 35/2010/QĐ-UBND dated 28/05/2010. This decision does not apply for HLD project.



#### IV. RELOCATION STRATEGY

11. **Relocating Households.** 17 HHs were identified as relocating HHs (for Stage 1 to 3)<sup>3</sup>. Compensation of those HHs were reflected in URP Stage 1 (see the list of relocating HHs in Annex 3, this URP). Of these 17 households, there are no houses with less than the value of a Class-4 house. Thus, provision of additional cash assistance to improve house for poor people is not needed. 4 HHs will purchase resettlement apartments in Man Thien Street, Hiep Phu Ward. Remaining HHs are entitled to buy land plot in Long Buu resettlement site. (See section IV, Relocation Strategy, URP Stage 1).

#### V. REHABILITATION STRATEGY

12. **Losing more than 10% of Productive (Income Generating) Assets.** The confirmation process of HHs losing more than 10% productive land or being relocated, conducted by DCC and Farmer Association identified that there are 56 HHs, including HH losing more than 10% of their agricultural land, relocating HHs and vulnerable HHs. All of them will be entitled to take part in the Income Restoration Program. The final list of IRP's beneficiaries is attached in the Annex 4 of this URP. It should be noted that number of HHs being entitled to take part the IRP has decreased from 60 (as reflected in the URP Stage 2) to 56 HHs. Only local farmers in District 9 are entitled to joint the IRP, even if their main source of income are not derived from farming. SEPMU received ADB concurrence on the IRP for Hochiminh City on 1 July 2010.

#### VI. CONSULTATION AND DISCLOSURE ACTIVITIES

13. A project brochure was prepared and copies were distributed to the affected households during consultation meetings. Consultation meetings were conducted during IOL and RP updating (see URP Stage 1).

14. During the preparation of Stage 3 URP, after conducting DMS and confirming legal status of acquired land, meetings were again held with the affected households by DCC to explain the DMS's results and draft compensation plans. Based on agreements obtained from these meetings, PC of District 9 issued decision on approval of the compensation plan of each household. Then these approved compensation plan, covering the impacts, corresponding payment and assistance, were disclosed to the affected households. This compensation was signed by the affected households for concurrence. DCC of District 9, in coordination with CPC, propagated and disclosed decisions on approval of the compensation plan at the CPC's office and public locations where land is acquired.

#### VII. RP BUDGET

15. **Establishment of Unit Rates.** SEPMU engaged the services of Southern Information and Valuation Corporation (SIVC) as external valuer. Compensation rates for residential and

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<sup>3</sup> In URP Stage 1, seven HHs were identified as relocating HHs. Additional, twenty four households were reported to be partially affected. However, 10 of those 24 HHs have been reevaluated by DCCs as their remaining lands are not viable to rebuilt houses

agricultural land were issued by the Southern Information and Valuation Corporation (SIVC). Then, the People's Committee of Ho Chi Minh City issued the decisions to approve the compensation rate for affected land of the HLD project.

16. SIVC has carried out its re-valuation survey and issued a letter dated 7 June 2010 to confirm that there are no changes in the compensation price. The document related to valuation survey is attached in the Annex 1.

17. **Compensation Plan for Households Affected in Stage 3.** The Summary DMS or "compensation plan" showing detailed information on affected land and non-land assets and corresponding payment are provided in Annex 2. Each compensation plan was presented to all households for review. All households agreed and signed the compensation plan. The total amount is **21,642,492,000 VND**.

18. **Supplemental Payment for HHs.** The RP budget also covers supplemental payment for 12 households included in URP Stage 1 and Stage 2 are (See Annex 3). In addition, allowances such as stabilization allowance, material transport allowance and timely moving bonus only is also budgeted for households covered in Stage 1 URP (See Annex 4).

19. Total RP budget for compensation and allowances for the 21 households (Stage 3) and supplemental allowances for 25 HHs covered in the first URP is **26,377,312,200 VND**.

**Table 5. Compensation and allowances for 21 HHs (Stage 3) and Supplemental Payment for HHs in Stage 1 and Stage 2**

		No. of HHs	Cost	Notes
A	<b>STAGE 3</b>			
	Phu Huu Ward	6	13,781,706,000	Annex 2.1
	Long Truong Ward	11	4,458,309,000	Annex 2.2
	Long Phuoc Ward	4	3,402,477,000	Annex 2.3
	<b>Sub-Total</b>	21	<b>21,642,492,000</b>	
B	<b>Supplemental Payment for Stage 1 and 2 Households</b>			
	HHs in Phu Huu Ward	7	3,213,708,000	Annex 3.1
	HHs in Long Truong Ward	5	871,410,000	Annex 3.2
			<b>4,085,118,000</b>	
C	Bonus Allowances for Stage 1 Households	25	<b>132,500,000</b>	Annex 4
	Total Cost (A+B+C)		25,860,110,000	
	Administration Cost (2%)		517,202,200	
	<b>GRAND TOTAL</b>		<b>26,377,312,200</b>	

## **VIII. INSTITUTIONAL ARRANGEMENTS**

20. The District 9 resettlement board was established prior to DMS. SEPMU, together with the resettlement consultants from the TA Loan, are working closely with the Peoples' Committee and resettlement board of district 9. The resettlement consultants (one international and one national) are supported by two national livelihood specialists and they are proposed to work full time until June 2010. It is expected that the Loan Supervision Consultants will be mobilized in July 2010. The TA Loan Consultants and Loan Supervision Consultants will have at least one month overlap to properly hand-over remaining resettlement activities.

## **IX. INTERNAL AND EXTERNAL MONITORING**

21. SEPMU will submit quarterly progress reports will be submitted to ADB. An external monitor has been engaged and quarterly monitoring reports have been submitted to SEPMU and ADB. All monitoring reports will be uploaded on the ADB website.

## **X. IMPLEMENTATION SCHEDULE**

22. Disbursement of payment to APs for Stage 3 URP will commence as soon as this Updated RP is approved by ADB. Households will not be required to clear the land or relocate until full payments (compensation for land and non-land assets and allowances) are disbursed. See implementation schedule below.

**Table 6. Implementation Schedule**

Year	2009												2010							
Works items	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Consultation with Ahs	■		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▶
Detailed Measurement Surveys	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■					
Social survey of vulnerable and severely affected households	■	■	■	■																
Replacement Cost Survey		■	■	■	■															
Identification and design Resettlement sites	■																			
Prepare the draft updated RP (Stage 1)				■	■															
Public disclose					■															
Finalizing and submitting updated RP to ADB for approval						■	■													
Review and approval URP (Stage 1)							■													
Implementation of the URP (Stage 1)							■	■	■	■	■	■	■							
Submission of Draft URP (Stage 2)												■	■							
Approval of URP (Stage 2)													■	■						
Implementation of the URP (Stage 2)													■	■	■	■				
Submission of Draft URP (Stage 3)																		■		
Approval of URP (Stage 3)																			■	
Implementation of the URP (Stage 3)																			■	▶
Design and Implementation of IRP**					■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▶
Construction Activities*											■	■	■	■	■	■	■	■	■	▶
Internal monitoring (Qtrly)	■			■			■				■			■			■			■
External monitoring (Qtrly)	■			■			■				■			■			■			■

## ANNEX 1. DOCUMENT RELATED TO VALUATION SURVEY

